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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/770,165 | 01/26/2001 | Robert Fung-chen Pan | RAL919990012US1 | 8089 |
| 45211 | 7590 | 03/04/2005 | EXAMINER | |
| KELLY K. KORDZIK WINSTEAD SECHREST & MINICK PC PO BOX 50784 DALLAS, TX 75201 | | | NGUYEN, MINH DIEU T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2137 | |

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/770,165 | PAN ET AL. | |
| | Examiner Minh Dieu Nguyen | Art Unit 2137 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 October 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-43 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication dated October 28, 2004.

Claims 1-43 are pending.

Response to Arguments

2. Applicant's arguments, filed October 28, 2004, with respect to the rejection(s) of claim(s) 1-43 under Vilhuber have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Vilhuber (6,470,453) and Hendrick (6,792,464).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2, 13, 24 and 35 recite the limitation "the phone number". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1-3, 6-7, 9-14, 17-18, 20-25, 28-29, 31-36, 39, 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vilhuber (6,470,453) in view of Hendrick (6,792,464).

a) As to claims 1, 12, and 23, Vilhuber discloses a mechanism for validating connections to a network system comprising a network router (Fig. 5, element 500; col. 13, lines 34-39) comprises a processor (Fig. 5, element 504), a port operable for coupling the processor to a WAN (Fig. 5, element 528; col. 14, lines 53-67 to col. 15, lines 1-14), a port operable for coupling the processor to a LAN (Fig. 5, element 522); a smart card reader coupled to the processor (col. 2, lines 56-59). Vilhuber discloses inserting smart card into a reader to access the network system (col. 2, lines 56-65).

However Vilhuber does not disclose circuitry operable for reading data from a smart card inserted into the smart card reader, wherein the data includes information on how to dial up a data processing system over the WAN; and circuitry operable for dialing up the data processing system over the WAN using the information.

Hendrick discloses a system for automatic connection to a network comprising circuitry operable for reading data from a smart card inserted into the smart card reader, wherein the data includes information on how to dial up a data processing system over the WAN; and circuitry operable for dialing up the data processing system over the WAN using the information (col. 3, lines 47-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of reading information on how to dial-up a data processing system over the WAN from a smart card and dialing up the data processing system over

the WAN using the information in the system of Vilhuber as Hendrick teaches so as to automatically access one of a plurality of Internet Service Providers.

- b) As to claims 2, 13, 24 and 35, Hendrick discloses the data processing system is associated with an ISP (col. 4, lines 29-33), and wherein the information includes the phone number of the ISP (col. 3, lines 52-54).
- c) As to claims 3, 14, 25 and 36, Hendrick discloses the data includes networking parameters read by the ISP to configure a connection between the router and the data processing system (col. 9, lines 35-49).
- d) As to claims 6, 17, 28 and 39, Hendrick discloses the configuration information includes a local phone number for dialing up the ISP (col. 3, lines 52-54).
- e) As to claims 7, 18 and 29, Vilhuber discloses the network router further comprising circuitry operable for permitting a plurality of computers coupled to the router via the LAN to access the ISP using the configuration information (col. 6, lines 30-34).
- f) As to claims 9, 20, 31 and 41, Vilhuber discloses the network router further comprising circuitry operable for permitting access on the virtual private network only at a security level specified in the information on the smart card (col. 2, lines 28-32; col. 11, lines 35-40).
- g) As to claims 10, 21, 32 and 42, Vilhuber discloses the network router wherein the WAN is an Intranet (col. 3, lines 14-17).
- h) As to claims 11, 22, 33 and 43, Vilhuber discloses the network router further comprising circuitry operable for permitting access to the Intranet as a function of security information stored on the smart card (col. 3, lines 15-23).

i) As to claim 34, a smart card is coupled to an apparatus of claim 1, please see the addressed claim 1 above.

7. Claims 4-5, 15-16, 26-27 and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vilhuber (6,470,453) in view of Hendrick (6,792,464) and further in view of Merrien et al. (WO 98/57474).

a) As to claims 4, 15, 26 and 37, Vilhuber and Hendrick do not disclose circuitry operable for receiving from the data processing system over the WAN configuration information and circuitry operable for writing the configuration information onto the smart card via the smart card reader.

Merrien discloses a smart card system which stores an Internet provider address on the card, the card is inserted into a digital telephone and the explorer reads the address of the Internet provider and connects the user to the Internet (page 7, paragraph 4) comprising circuitry operable for receiving from the data processing system over the WAN configuration information (page 5, first full paragraph) and circuitry operable for writing the configuration information onto the smart card via the smart card reader (page 5, second full paragraph).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of receiving the configuration information from the data processing system over the WAN and writing the configuration information onto the smart card via the smart card reader in the system of Vilhuber and Hendrick, as Merrien teaches so as to provide a multiple purpose card for different applications.

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b) As to claims 5, 16, 27 and 38, Merrien discloses the configuration information includes a PPP user ID and password (page 7, third full paragraph).

8. Claims 8, 19, 30 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vilhuber (6,470,453) in view of Hendrick (6,792,464) and further in view of Hoguta et al. (6,725,303).

Hendrick discloses circuitry operable for establishing a connection between the router and the data processing system (col. 9, lines 35-49). However Vilhuber and Hendrick do not disclose circuitry operable for channeling the connection to a specified virtual private network.

Hotuga discloses a method and apparatus for establishing a personalized connection with a network from a variety of different terminals with the use of smart card (Abstract) comprising circuitry operable for channeling the connection to a specified virtual private network (col. 5, lines 6-17 and 34-47).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of channeling the connection to a specified virtual private network in the system of Vilhuber and Hendrick, as Hotuga teaches so as to support variety of networks.

Conclusion

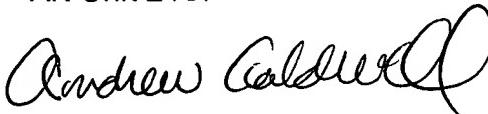
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 703-305-9727. The examiner can normally be reached on M-F 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 703-306-3036. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Minh Dieu Nguyen
Examiner
Art Unit 2137

mdn
3/1/05



**ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER**